

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION  
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT  
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

**STIPULATION AND ORDER ON SCHEDULE FOR LITIGATION OF AND  
EVIDENTIARY HEARING ON PROFIT WITHDRAWAL ISSUE**

Irving H. Picard, trustee (“Trustee”) for the substantively consolidated liquidation of the business of Bernard L. Madoff Investment Securities LLC (“BLMIS”) and the estate of Bernard L. Madoff (“Madoff”) (collectively, “Debtor”), by and through his counsel, and Participating Claimants, as that term is defined in paragraph 5 of the Order Establishing Schedule For Limited Discovery and Briefing on Profit Withdrawal Issue dated June 25, 2015, ECF No. 10266, as amended by the Order Amending Schedule of Litigation of Profit Withdrawal Issue entered on April 5, 2016, ECF No. 13038, by and through their undersigned counsel, hereby stipulate and agree to the following, which modifies the briefing schedule set forth in the July 12, 2016 Order, ECF No. 13619.

1. On August 12, 2016, the Trustee and SIPC filed supplemental briefs in support of the Trustee's Motion. On September 23, 2016, Participating Claimants filed briefs in response to the Motion. On Friday, September 30, 2016, the parties exchanged preliminary exhibit and witness lists, as well as designations of deposition excerpts for use at hearing.

2. On or before October 28, 2016, the parties will submit motions *in limine*.

3. On or before November 18, 2016, the parties will submit oppositions to motions *in limine*.

4. On or before December 2, 2016, the parties will submit replies to motions *in limine*.

5. The Court will set a date for the submission of the Joint Pretrial Order for 30 days after the *in limine* motions have been decided.

6. The litigation schedule set forth in this Order permits litigation of the Profit Withdrawal Issue only. Any other issues must be addressed separately.

7. This Order may be modified by the Court *sua sponte* or at the request of any party for good cause shown.

/s/ Seanna R. Brown

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*Attorney for Aaron Blecker and Adele Fox*

**SO ORDERED.**

**Dated: October 5<sup>th</sup>, 2016  
New York, New York**

/s/ STUART M. BERNSTEIN

**HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE**